

NOT SCHEDULED FOR ORAL ARGUMENT

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Nos. 25-5152, 25-5233, 25-5247  
(Civ. A. No. 25-0943)

COALITION FOR HUMANE IMMIGRANT RIGHTS, et al., Appellants,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, Appellee.

**MOTION FOR A STAY IN LIGHT  
OF A LAPSE OF APPROPRIATIONS OR, ALTERNATIVELY,  
TO EXTEND THE TIME TO FILE A RESPONSIVE BRIEF**

The government respectfully moves for a stay of this case—including the October 16, 2025, deadline to file a responsive brief—in light of the lapse in appropriations. In the alternative, the government requests that the deadline for its responsive brief be extended by eleven days from October 16, 2025, to October 27, 2025. Undersigned counsel has conferred with counsel for the appellants and is informed that the appellants oppose the stay and take no position on the eleven-day extension.

In support of this motion, the government states as follows:

At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and

appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342. Undersigned counsel for the Department of Justice therefore requests a stay of proceedings in this appeal until Congress has restored appropriations to the Department.

The government respectfully requests that, when appropriations are restored, the Court order the parties to file motions to govern future proceedings within ten days of the restoration of funding.

Although we greatly regret any disruption caused to the Court and the other litigants, the government hereby moves for a stay of proceedings in this case, as described above, until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Alternatively, if the Court denies the stay, the government requests that its time to file a responsive brief be extended by eleven days to October 27, 2025. The government attorney assigned to this case has been on furlough status since the lapse in appropriations and will

therefore require additional time to finalize the government's responsive brief if a stay is denied.

JEANINE FERRIS PIRRO  
United States Attorney

*/s/ Johnny Walker*

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**CERTIFICATE OF COMPLIANCE**

I certify that foregoing complies with Federal Rule of Appellate Procedure 27(d)(2), in that it contains 325 words, is in fourteen-point font and utilizes Century Schoolbook typeface.

*/s/ Johnny Walker*  
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JOHNNY H. WALKER, III  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I certify that on this October 1, 2025, the foregoing has been served on Appellant through the Court's CM/ECF system.

*/s/ Johnny Walker*  
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JOHNNY H. WALKER, III  
Assistant United States Attorney